

**FIRST ENGROSSMENT  
with Conference Committee Amendments**

**ENGROSSED HOUSE BILL NO. 1405**

Introduced by

Representatives Devlin, Byerly, Carlson

Senators O'Connell, Redlin

1 A BILL for an Act to amend and reenact sections 39-12-02 and 43-09-21 of the North Dakota  
2 Century Code, relating to applications for moving and electrical certificates for manufactured  
3 buildings and modular units.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 39-12-02 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **39-12-02. Special permits for vehicles of excessive size and weight issued -**  
8 **Contents - Fees.**

9 1. The highway patrol and local authorities in their respective jurisdictions, upon  
10 application and payment of the appropriate charges and for good cause shown,  
11 may issue a special written permit authorizing the applicant to operate or move a  
12 vehicle, mobile home or modular unit of a size or weight exceeding the maximum  
13 specified by this chapter, upon a highway under the jurisdiction of the body  
14 granting the permit. Every permit may designate the route to be traversed and  
15 may contain any other restrictions or conditions deemed necessary by the body  
16 granting the permit. Every permit must be carried in the vehicle to which it refers  
17 and must be opened to inspection by any peace officer or agent of the  
18 superintendent of the highway patrol unless prior approval is obtained from the  
19 highway patrol. It is a violation of this chapter for any person to violate any of the  
20 terms or conditions of the permit. All permits for the movement of excessive size  
21 and weight on state highways must be for single trips only. The highway patrol  
22 and local authorities may adopt rules governing the movement of oversize and  
23 overweight vehicles.

1           2. Upon any application for a permit to move a new manufactured building or modular  
2           unit from outside this state to be located anywhere within this state, the  
3           manufacturer is deemed to have certified that the new manufactured building or  
4           modular unit meets all applicable building codes and all applicable electrical wiring  
5           and equipment, plumbing, and fire standards. The state is not liable to any person  
6           for issuing a permit in violation of this subsection.

7           3. An appropriate charge must be made for each permit and all funds collected  
8           hereunder by the highway patrol must be deposited in the state highway fund for  
9           use in the construction and maintenance of highways and operating expenses of  
10          the department of transportation. Official or publicly owned vehicles may not be  
11          required to pay charges for permits. The minimum fee for selected charges is as  
12          follows:

- 13          a. The fee for a seasonal permit, harvest and wintertime, is fifty dollars per  
14          month.
- 15          b. The fee for a non-self-issuing interstate permit is ten dollars per trip.
- 16          c. The fee for special mobile equipment is twenty-five dollars per trip.
- 17          d. The fee for engineering is twenty-five dollars per trip.
- 18          e. The fee for filing a permit is five dollars per trip.
- 19          f. The fee for a single trip permit is twenty dollars per trip.

20          ~~3.~~ 4. The director of tax equalization of the county of destination must be furnished a  
21          copy of the permit for the movement of an overdimensional mobile home.

22           **SECTION 2. AMENDMENT.** Section 43-09-21 of the North Dakota Century Code is  
23          amended and reenacted as follows:

24           **43-09-21. Standards for electrical wiring and equipment.** All electrical wiring,  
25          apparatus, or equipment ~~shall~~ must comply with the rules of the board made under authority of  
26          the laws of this state and in conformity with the approved methods of construction for safety to  
27          life and property. The regulations ~~laid down~~ in the national electrical code and the national  
28          electrical safety code as approved by the American national standards institute ~~shall be~~ are  
29          prima facie evidence of ~~such~~ these approved methods. Any municipality may make more  
30          stringent requirements. ~~No~~ An electrical installation ~~shall~~ may not be connected for use until  
31          proof has been furnished to the person, firm, corporation, or limited liability company supplying

1 electrical energy that ~~such~~ there is compliance with the applicable regulations ~~have been~~  
2 ~~complied with~~. The manufacturer of a new manufactured building or modular unit shall make  
3 any changes required for the proof within fourteen days from the notice that the building or unit  
4 does not comply with the applicable regulations. This section does not apply to the movement  
5 of a new manufactured building or modular unit into or within this state before the process of  
6 being connected for use.